

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL J. LUPO,

Plaintiff,

vs

Case No.: 05-60223  
Hon. John Corbett O'Meara

DAIMLERCHRYSLER CORPORATION,

Defendant.

---

JAMES R. CMEJREK (P11993)  
Law Offices of James R. Cmejrek  
Attorney for Plaintiff  
2201 Medford Road  
Ann Arbor, MI 48104  
(734) 677-1440

RICHARD M. TUYN (P29091)  
LISA S. LANE (P39226)  
Cattel, Tuyn & Rudzewicz, PLLC  
Attorneys for Defendant  
33 Bloomfield Hills Parkway, Suite 120  
Bloomfield Hills, MI 48304  
(248) 593-6400

---

**ORDER GRANTING DEFENDANT DAIMLERCHRYSLER CORPORATION'S  
MOTION FOR JUDGMENT BASED ON THE ADMINISTRATIVE RECORD,  
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT  
AND DISMISSING THE CASE WITH PREJUDICE AND WITHOUT COSTS**

At a session of said Court, held in the City of Ann Arbor,  
County of Washtenaw, State of Michigan

PRESENT: JOHN CORBETT O'MEARA  
United States District Court Judge

Upon the filing and reading of Defendant DaimlerChrysler Corporation's Motion for Judgment Based on the Administrative Record and Plaintiff's Motion for Summary Judgment, oral argument on said Motions having been heard in open Court on June 1, 2006 and the Court being otherwise fully informed in the premises;

It is hereby Ordered that Defendant DaimlerChrysler's Motion is GRANTED in its entirety and Plaintiff's Motion is DENIED, and the case is dismissed with prejudice and without costs to either party.

This is a Final Order which resolves all issues and closes the case.

s/John Corbett O'Meara  
John Corbett O'Meara  
United States District Judge

Dated: June 5, 2006